

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ANDREW CLINTON CRUSE

PETITIONER

v.

No. 4:19CV163-MPM-JMV

WENDEL BANKS, ET AL.

RESPONDENTS

ORDER DENYING PLAINTIFF'S MOTION

This matter comes before the court on the motion [20] by Andrew Clinton Cruse for an investigation and hearing into alleged assaults against him and others at Unit 720 of the Central Mississippi Correctional Facility, in which disabled inmates are housed. These allegations involve conditions of confinement, and this cause is a *habeas corpus* case, which involves the validity of Mr. Cruse's conviction and sentence. As such, if Mr. Cruse wishes to pursue his conditions of confinement claims, he must do so by initiating a separate case under 42 U.S.C. § 1983 in the United States District Court for the Southern District of Mississippi. Therefore, the instant motion [20] for an investigation and hearing is **DENIED**.

SO ORDERED, this, the 22nd day of June, 2020.

/s/ MICHAEL P. MILLS
**UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI**